

AGENDA
Joint meeting of the Veneta Planning Commission & Veneta City Council
Tuesday - July 5, 2005
Joint Meeting - 6:00 p.m.
Planning Commission - 7:00 p.m.
Veneta City Hall

I. REVIEW AGENDA

PUBLIC HEARINGS will follow the following format. Please refer to the reverse side of the agenda for rules governing public testimony and criteria for each type of proposed use.

1. Open Hearing
2. Declaration of Conflict of Interest or Ex-Parte Contacts
3. Staff Report
4. Public Testimony **(SEE REVERSE SIDE OF AGENDA)**
5. Questions from the Veneta City Council and Planning Commission
6. Close of Public Hearing
7. Deliberation and Decision

II. JOINT MEETING: Veneta City Council & Veneta Planning Commission

- A. Call Veneta City Council to Order
- B. Joint Decision: COVEN ESTATES 2 - (V-3-05) Variance to Veneta's Wetland Protection Ordinance (Veneta Municipal Code Chapter 18.10) to allow development within a delineated wetlands. Assessors map 18-05-06-20, tax lot 420 (Continued from June 6, 2005)
- C. Joint Public Hearing: LARSON - (V-5-05) Variance to Veneta's Wetland Protection Ordinance (Veneta Municipal Code Chapter 18.10) to allow development within a delineated wetlands. Assessors map 17-06-36-00, tax lot 600
- D. Adjourn City Council

III. PUBLIC COMMENT: If you wish to address the Planning Commission about an issue which is not on the agenda; state your name, address, and limit your comments to 3 minutes.

IV. APPROVAL OF MINUTES: May 11, 2005 and June 6, 2005

V. PUBLIC HEARING & LIMITED LAND USE ACTIONS:

LARSON - Conditional Use Permit to allow development within the Greenway Subzone (CUP-4-05) and Site Plan Review (SR-1-05) for development of a Highway Commercial site.

Assessors map 17-06-36-00, tax lot 600

VI. OTHER:

- A. Administrative Decisions

VII. ADJOURN:

The next Planning Commission meeting will be held on Monday, August 1, 2005 at 7:00 p.m.

Decisions by the Planning Commission for land use applications are issued with a FINAL ORDER. A Planning Commission Decision may be appealed to the Veneta City Council within 15 days after the Final

Order has been signed and mailed. If a written Notice of Appeal is not filed within 15 days of the date the Final Order of the Planning Commission decision is mailed, the decision becomes final. Veneta Land Development Ordinance 417, Section 2.07 (1-3) and Veneta Land Division Ordinance 418, Section 8.03 (4) Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available with 48 hours notice. Contact Sheryl Hackett Phone (541) 935-2191, FAX (541) 935-1838 or by TTY Telecommunications Relay Service 1-800-735-1232.

THIS MEETING WILL BE TAPE-RECORDED.

PU

BLIC HEARINGS - Please observe the following rules.

WRITTEN TESTIMONY:

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the Planning Commission members to be considered in their decision.

ORAL TESTIMONY:

If you wish to testify with regard to a matter which has been set for *Public Hearing* please observe the following rules:

1. State your name and address.
2. Indicate if you are in favor of or opposed to the proposal.
3. Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point.

The Planning Commission considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

LAND USE DECISIONS - Veneta Municipal Code Chapter 18.05

Whenever this chapter is in effect, the following procedures or procedure similar thereto shall be followed by the city staff and applicable decision-making body: (1) Preparation of brief statement setting forth the criteria and standards considered relevant to the decision of the city staff. Such shall utilize criteria and standards found in the applicable ordinance, the comprehensive plan, and other ordinances and rules and regulations now in effect a from time to time adopted by the city council and appropriate decision-making body.

CRITERIA FOR VARIANCE TO VENETA'S WETLAND PROTECTION ORDINANCE

Veneta Municipal Code Chapter 18.10.060, Section 18.10.060, Variances

- (1) For parcels that have no usable building site through application of the requirements of this chapter, a variance may be granted to allow development on the parcel; provided, that the design of the development, minimizes impact tot he wetland.
- (2) A variance may be granted in those instances where claims of map error are verified by the Divisionof State Lands.
- (3) A variance may be granted in those instances where the planning commission and city council jointly determine that the public need outweighs the potential adverse impacts of development in or near a locally significant wetland resource site.

CATEGORIES FOR REVIEW OF CONDITIONAL USE PERMITS

Veneta Land Development Ordinance, Article 8

Section 8.10 GENERAL STANDARDS OF APPROVAL - A conditional use may be granted only if:

- (1) The proposed use is consistent with the Veneta Comprehensive Plan.*
- (2) The proposed use is consistent with the purpose of the zoning district.*
- (3) The potential negative impacts of the proposed use on adjacent properties and on the public will be mitigated through the application of existing requirements and conditions of approval.*
- (4) All required public facilities have adequate capacity to serve the proposal.*
- (5) The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impacts; and health, safety or general welfare concerns.*

Section 8.20 SPECIAL STANDARDS GOVERNING CONDITIONAL USES - Certain conditional uses shall meet the following standards:

Section 8.20(19) Standards for development in the GW subzone. The development must comply with all standards listed below. If the proposed development cannot comply with all the standards, the Planning Commission must determine what balance is needed between the public benefits provided by standards (a) through (e) and the private benefits provided by standards (f) and (g).

- (a) Fish and wildlife habitats and wildlife movement corridors will be protected.*
- (b) Scenic qualities and viewpoints will be preserved.*
- (c) Natural drainageways are protected and the stormwater plans comply with an approved stormwater drainage management plan. Erosion will be prevented or controlled.*
- (d) Significant trees and other site vegetation will be preserved.*
- (e) Stream corridors and wetland will be protected and provided with buffers.*
- (f) The practical needs of construction activity are provided for in terms of ingress and egress.*
- (g) Exceptional and undue hardship upon property owner or developer is avoided.*

REQUIRED FINDINGS FOR SITE PLANS

Veneta Land Development Ordinance, Article 6, Section 6.04

After an examination of the site and prior to approval of plans, the Commission or Building and Planning Official must make the following findings:

- (1) That the proposed development complies with the Veneta Comprehensive Plan.*
- (2) That all provisions of city ordinances are complied with.*
- (3) That traffic congestion is avoided, pedestrian, bicycle and vehicular safety are protected and future street right-of-way are protected.*
- (4) That proposed signs or lighting will not, by size, location or color, interfere with traffic or limit visibility.*

- (5) That adequate water, sewer and utilities for the proposed use are available.
- (6) That drainageways are protected and drainage facilities provided.
- (7) That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and the standards of all applicable regulatory agencies having jurisdiction.